

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 09-2857(DSD/JJK)

Versacold USA, Inc.,

Plaintiff,

v.

**ORDER**

Inland American Brooklyn  
Park Atlas, L.L.C.,

Defendant.

This matter is before the court upon Versacold USA, Inc.'s ("Versacold") motion to strike [Doc. No. 20]. On October, 29, 2009, the court denied Versacold's motion for a preliminary injunction without reaching the merits of this case. Because the motion to strike concerns statements related to the merits of the case, the motion to strike is moot. Accordingly, **IT IS HEREBY ORDERED** that Versacold's motion to strike [Doc. No. 20] is denied.

Dated: October 29, 2009

s/David S. Doty  
David S. Doty, Judge  
United States District Court